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SUBJECT: SERBIA WELCOMES DECISION ON VISA LIBERALIZATION

REF: BELGRADE 306; BELGRADE 587

Summary

1. (SBU) The Serbian government enthusiastically welcomed the European Commission's July 15 announcement that it would recommend visa liberalization for Serbia, as well as for Montenegro and Macedonia. President Tadic described the abolition of visas as the removal of the "last sanctions" on Serbia, while Minister of Interior Dacic and DPM Djelic hastened to reject opposition charges that the EC's exclusion of Kosovo residents represented the tacit recognition of Kosovo's independence. Serbia now has until October 1 to meet the remaining requirements of its visa liberalization "roadmap," including how to handle the question of passport issuance to Kosovo residents and cross-border cooperation with EULEX. End Summary.

Commission Recommends Liberalization

2. (U) On July 15 in Brussels, Vice President of the European Commission for Justice, Freedom and Security Jacques Barrot and Enlargement Commissioner Olli Rehn announced that the Commission would forward an official proposal to the Council of the European Union recommending visa liberalization for Serbia, Montenegro, and Macedonia. The EC's press release states that "residents of Kosovo (under UNSCR 1244/99) will not yet benefit from visa liberalization ... The technical requirements for visa liberalization have not yet been met on the territory of Kosovo. The Commission in this regard will continue to work closely with both the Serbian and Kosovo authorities and explore options for addressing the visa issue in the future." While not a final decision, the EC's recommendation to move forward represented a major milestone in the visa dialogue that began in January 2008 (Ref A).

Government Enthusiastically Welcomes Decision

3. (U) President Boris Tadic immediately welcomed the news, telling FoNet on July 15 that the decision was "a great thing" for the people of Serbia and the region, and represented the fulfillment of a promise made to the citizens of Serbia. He also referred to visas as "the last sanctions on Serbia."

4. (U) Following a July 15 meeting in Brussels with Barrot, First DPM and Interior Minister Ivica Dacic told the press that it was now up to Serbia to show its readiness to continue the reforms, fight organized crime and corruption, and monitor the state borders and the administrative line with Kosovo, which required cooperation with EULEX and UNMIK. Dacic commented that the European Commission had finally corrected the injustice that was done to the peoples of the former Yugoslavia, and Serbia in particular. He added that it was "very important that the European Commission clearly states in its

proposal that by excluding the citizens of Kosovo-Metohija from visa liberalization it is not prejudging the province's status, but that this is a purely technical issue, that is, it is implying that security issues have not been solved." He announced that the Serbian authorities would soon sign a protocol with EULEX on operational cooperation along the 'administrative border' with Kosovo, which he said was agreed during European Union high representative Javier Solana's July 13 visit to Belgrade. The head of the Ministry of Interior's International Cooperation Office told Danas on July 16 that Serbia would strengthen controls along the 'administrative border' with Kosovo, and exchange information with EULEX and with the "Kosovo police."

¶5. (SBU) In a brief conversation with Pol FSN, head of the government's European Integration Office Milica Delevic took a cautious approach. She said that much work remained to be done on the MOU with EULEX, and the travel of Serbian citizens previously repatriated from EU countries would also be difficult to address. EULEX sources in Belgrade also confirm that MOU negotiations have hit an impasse, but hope for new momentum following the recent EC decision.

¶6. (U) In a July 16 appearance on RTS, Deputy Prime Minister for EU Integration Bozidar Djelic said that the government would adopt a national strategy for migration management and an action plan for suppressing organized crime and drug trafficking by October 1. He also said that the GOS needed to conclude an operational agreement with EULEX and consistently implement the Law on Foreigners adopted in April. Echoing Dacic, Djelic rejected accusations that the European Commission's decision indirectly implied the recognition of

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Kosovo's independence because under UNSCR 1244 Kosovo is under the administration of the international community.

Next Steps and Remaining Issues

¶7. (SBU) On July 15, The Commission's Directorate General for Justice, Freedom and Security sent a letter formally notifying the Serbian government of the decision and outlining next steps, including the improvement of cross-border cooperation with EULEX on police and customs issues and the need to create secure procedures regarding Serbia's issuing of biometric passports for persons residing Kosovo. The letter asks that Serbia's Interior Ministry present a progress report to the Commission by September 25, 2009.

¶8. (U) Local media have covered the issue extensively, reporting that Serbia must demonstrate effective implementation of adopted laws, strategies, and action plans; implement decisions on the issuance of travel documents to citizens of Kosovo and Metohija; continue good border monitoring, a comprehensive migration policy, the fight against organized crime, corruption, and trafficking in persons, and respect for fundamental rights; complete an agreement on operational cooperation with EULEX; and continue to modernize the Customs service. According to press reports, by the end of October, the European Parliament will give its opinion; at the end of October, if all roadmap conditions have been met, the EU Council of Ministers will take the final decision on visa liberalization; and on January 1, 2010, the decision will enter into force.

¶9. (SBU) The issuance of biometric passports to residents of Kosovo has been the most difficult issue to resolve thus far (Ref B). Officials from the Ministry of Interior and the European Integration Office told the press on July 16 that the Serbian government would institute centralized passport issuance in Belgrade for all residents of Kosovo. Those passports would bear the notation "Issued by MOI - Coordination Office" and would not be valid for visa-free travel.

Opposition Harshly Critical

¶10. (U) The opposition has seized on the EC's decision to exclude residents of Kosovo. Serbian Progressive Party leader Tomislav Nikolic described the EU announcement as a "relief," but added that "complete discrimination" against the citizens of Kosovo was

unacceptable. Democratic Party of Serbia president Vojislav Kostunica charged that the Serbian authorities had turned their back on Kosovo Serbs and that "the people and citizens of Serbia must know the real truth that the current authorities have consented to creating a border line... This means that Serbian and Kosovo police will work together on the effective separation of the Serb people and on putting the Kosovo Serbs into a kind of ghetto." Serbian Radical Party leader Dragan Todorovic said the government should not accept visa liberalization under the EU's terms because "accepting 'white Schengen' without the citizens of KiM de facto means recognition of the independence of KiM."

¶11. (U) Visa liberalization was the main news during the French Embassy's July 14 Bastille Day reception, a day before the official announcement. Media representatives, themselves, were surprised by the lack of public response both to Kostunica's interview and to earlier articles in conservation daily "Politika's" pointing out that liberalization would not apply to Kosovo Serbs. These representatives thought the lack of public reaction should serve as a signal to the Tadic government to be bolder in pursuing EU integration as well as less fearful of pro-Kosovo backlash.

Comment

¶11. (SBU) The opposition's criticism of the government for accepting the exclusion of Kosovo Serbs from EU visa liberalization does not appear to be resonating with the Serbian public, despite the obvious political and legal implications of the step. The Serbian public appears to be so desperate for visa-free travel to Europe that they will gladly accept UNSCR 1244 as the rationale. The government is now under pressure to address the specifics of passport issuance and management of the Kosovo border quickly and in a way that does not open it up to yet more damaging attacks from the opposition. Rather than capitalizing on the public support for the liberalization - even as it chips away at Serbian sovereignty over Kosovo - President Tadic instead attended the Sharm el-Sheik, Egypt, Non-Aligned Nations Summit and assured the attendees Serbia supported non-aligned goals "in spite of our aspirations to join the EU." End Comment.

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